



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB00-716-D; 600.016)

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In the Application of:

Beigelman, et al.

Serial No. 10/043,951

Filed: January 11, 2002

For: METHODS FOR SYNTHESIZING NUCLEOSIDES,  
NUCLEOSIDE DERIVATIVES AND NON-  
NUCLEOSIDE DERIVATIVES

Examiner: not yet known

Art Unit: 1632

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

In regard to the above identified application:

1. We are transmitting herewith the attached papers for the above identified new patent application:

- ☒ Supplemental Information Disclosure Statement (3 sheets);
- ☒ Form PTO-1449 (1 sheet);
- ☒ Cited References (6); and
- ☒ Return Receipt Postcard.

2. With respect to additional fees:

- ☒ No additional fee is required.

3. GENERAL AUTHORIZATION: Please charge any additional fees or credit overpayment to Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.

4. CERTIFICATE OF MAILING UNDER 37 CFR § 1.8: The undersigned hereby certifies that this Transmittal Letter and the paper, as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on September 24, 2002.

By :

Stephen H. Docter

Registration No. 44,659

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THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(MBHB00-716-D; 600.016)

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TECH CENTER 1600/2609

In the Application of: )  
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) Examiner: not yet known  
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NUCLEOSIDE DERIVATIVES AND NON- )  
NUCLEOSIDE DERIVATIVES )

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

Pursuant to the duty of disclosure provided by 37 C.F.R. §1.56 and §§1.97-98, the applicants wish to make the following reference of record in the above-identified application. A copy of the reference is enclosed. A copy is also listed in the PTO-1449 form enclosed herewith. It is requested that the document be given careful consideration and that it be cited of record in the prosecution history of the present application so that it will appear on the face of the patent issuing from the present application.

In the judgment of the undersigned, a portion of the reference may be material to the examination of the pending claims, however no such admission is intended. 37 C.F.R. §1.97 (h). The references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative importance of any portion of the

references. This Statement is not a representation that the cited reference has an effective date early enough to be "prior art" within the meaning of 35 U.S.C. §§102 or 103.

#### **CITED REFERENCES**

1. Corey and Hopkins, "Diisopropylsilyl Ditriflate and Di-tert-Butylsilyl Ditriflate: New Reagents for the Protection of Diols," Tetrahedron Letters 23:4871-4874 (1982)
2. Furusawa et al., "Synthesis and Restricted Conformation of 3', 5'-O-(Di-tert-butylsilanediyl) Ribonucleosides," Chemistry Letters 97-100 (1990)
3. Larsen et al., "A New and Easy Synthesis of Silylated Furanoid Glycals in One Step from Nucleosides," Synthesis 1037-1038 (1994)
4. Markiewicz, "Tetraisopropylidisiloxane-1, 3-diyl, a Group for Simultaneous Protection of 3'- and 5'-Hydroxy Functions of Nucleosides," J. Chem. Research (S) 24-25 (1979)
5. Trost and Caldwell, "The Di-tert-Butylsilylene Protecting Group for Diols," Tetrahedron Letters 22:4999-5002 (1981)
6. Wu and Pitsch, "Synthesis and Pairing Properties of Oligoribonucleotide Analogues Containing a Metal-binding Site Attached to  $\beta$ -D-Allofuranosyl Cytosine," Nucleic Acids Research 26:4315-4323 (1998)

In accordance with MPEP Sections 609 and 707.05(b), it is requested the documents cited (including any cited in applicant's specification which is not repeated on the attached Form PTO-1449) be given thorough consideration and that it be cited of record in the prosecution history of the present application by initialing on Form PTO-1449. Such initialing is requested even if the Examiner does not consider a cited document to be sufficiently pertinent to use in a rejection, or otherwise does not consider it to be prior art for any reason, or even if the Examiner does not believe that the guidelines for citation have been fully complied with. This is requested so that each document becomes listed on the face of the patent issuing on the present application.

Respectfully submitted,

**McDonnell Boehnen Hulbert & Berghoff**

Date: September 24, 2002

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